

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

**RESOLUTION ADOPTING A MITIGATED)
NEGATIVE DECLARATION AND)
MITIGATION MONITORING AND)
REPORTING PLAN, AND APPROVING)
CONDITIONAL USE PERMIT CUP 2006-0020,) RESOLUTION NO. 2008-0008
SUBJECT TO CONDITIONS OF APPROVAL)
AND MITIGATION MEASURES)**

WHEREAS, Pete Di Giordano has filed an application for Conditional Use Permit CUP 2006-0020 to allow the construction and operation of a motocross park designed for training, practice and competitive events and overnight dry camping for weekend events. The property is shown on the General Plan Land Use Diagram as Valley Agriculture ("VA") with a zoning designation of Flood Plain ("FP-1"). The project site is located at 981 Shad Pad Rd. in the community of Linda and is identified as Assessor's Parcel Number 020-020-004.

WHEREAS, the Community Development and Services Agency of the County of Yuba has conducted an Initial Study for the proposed project and concluded that the project would not result in any significant adverse environmental impacts provided mitigation measures are implemented as project conditions of approval; and

WHEREAS, the Community Development and Services Agency of the County of Yuba has provided due notice for a public hearing before the Planning Commission of the County of Yuba with the intent to adopt a Mitigated Negative Declaration and Mitigation and Reporting Plan for the proposed project in accordance with the California Environmental Quality Act, as amended; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed use is desirable to provide a service which will contribute to the general well-being of the neighborhood.
3. The Planning Commission finds that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

4. The Planning Commission finds that the site for the proposed use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls or fences, and other features required in order to adjust said use to those existing or permitted future uses in the neighborhood.
5. The Planning Commission finds that the project, as conditioned, is consistent with the Yuba County General Plan and Yuba County Ordinance Code.
6. The Planning Commission finds that the project, as mitigated and conditioned, will not cause significant environmental damage including that to fish and/or wildlife and their habitat.
7. The Planning Commission hereby adopts the Mitigated Negative Declaration and approves Conditional Use Permit CUP2006-0020 subject to the Conditions of Approval and Mitigation Measures, which, by this reference, are incorporated herein and made a part hereof as though set forth in full, unless appealed within 10 days in accordance with the Yuba County Ordinance Code.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the 18th day of June, 2008, by the following vote.

AYES: Commissioners Durham, Flanagan, Messick and Zimmerman

NOES:

ABSENT: Commissioner Cozine

ABSTAIN:



VIRGIL D. ZIMMERMAN, CHAIRMAN
Yuba County Planning Commission

ATTEST: Tony Gon or Houa Yang
Planning Commission Secretary

APPROVED AS TO FORM:
Daniel G. Montgomery County Counsel

BY: 

BY: 